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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 SACRAMENTO DIVISION

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17 ENRIQUE MANUEL VICENTE SANCHEZ,) Case No.: 2:23-cv-00367-TLN-DMC
18 Plaintiff,)
19 vs.) STIPULATION AND ORDER FOR THE
20 KILOLO KIJAKAZI, Acting Commissioner of) AWARD OF ATTORNEY'S FEES AND
Social Security,) COSTS PURSUANT TO THE EQUAL
21) ACCESS TO JUSTICE ACT, 28 U.S.C. §
Defendant.) 2412(D)
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18 IT IS HEREBY STIPULATED by and between the parties through their undersigned
19 counsel, subject to the approval of the Court, that Plaintiff will be awarded attorney fees in the
20 amount of one thousand two hundred ninety-two and 22/100 dollars (\$1,292.22) under the Equal
21 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for
22 all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in
23 accordance with 28 U.S.C. §§ 2412(d); 1920.

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1 After the Court issues an order for EAJA fees to Plaintiff, the Defendant will consider any
2 assignment of EAJA fees to David J. Linden. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2252-
3 2253 (2010), the ability to honor any such assignment will depend on whether the fees are
4 subject to any offset allowed under the United States Department of the Treasury's Offset
5 Program. After the order for EAJA fees is entered, the Defendant will determine whether they
6 are subject to any offset.

7 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines that
8 Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to be
9 made directly to David J. Linden, pursuant to any assignment executed by Plaintiff. Any
10 payments made shall be delivered to David J. Linden.

12 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees
13 and does not constitute an admission of liability on the part of Defendant. This award is without
14 prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42
15 U.S.C. § 406, subject to the provisions of the EAJA.

16 Dated: May 10, 2023

17 /s/ David J. Linden
DAVID J. LINDEN
18 Attorney for Plaintiff

19 Dated: May 10, 2023

20 PHILLIP A. TALBERT
United States Attorney

21 By /s/ Heidi Triesch
HEIDI TRIESCH
22 (as authorized by email on 05/10/2023)
Special Assistant US Attorney
23 Attorneys for Defendant

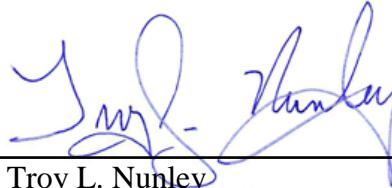
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2 ORDER
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5 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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8 Dated: May 11, 2023
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13 Troy L. Nunley
14 United States District Judge
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